

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

UNITED STATES OF AMERICA, )  
                                  )  
                                  )  
Plaintiff,                 )  
                                  )  
vs.                            )              **Case No. 16-00099-08-CR-W-GAF**  
                                  )  
DIAMONE BARRETT,          )  
                                  )  
Defendant.                 )

**ORDER**

On November 23, 2016, Defendant appeared pursuant to Fed.R.Crim.P. 11, Local Rule 72.1(j)(27), and 28 U.S.C. § 636 and entered a plea of guilty to the charge of conspiracy to distribute 100 grams or more of a mixture or substance containing a detectable amount of phencyclidine, PCP, a lesser included offense of Count One of the Third Superseding Indictment (doc. 189) before Chief United States Magistrate Judge Sarah W. Hays. On November 30, 2016, Judge Hays issued her Report and Recommendation (doc. 268). Objections were due on or before December 19, 2016. No objections were filed.

Upon careful and independent review, this Court finds that defendant's plea was knowledgeable and voluntary and that the offense charged is supported by an independent basis in fact containing each of the essential elements of such offense. Accordingly, this Court hereby adopts and incorporates as its own Opinion and Order the Report and Recommendation of Chief United States Magistrate Judge Sarah W. Hays.

Accordingly, it is hereby ORDERED that defendant's plea of guilty is accepted and defendant is adjudged guilty. The defendant's sentencing hearing will be scheduled and the parties notified of the date and time of sentencing.

SO ORDERED.

s/ Gary A. Fenner \_\_\_\_\_  
GARY A. FENNER, JUDGE  
UNITED STATES DISTRICT COURT

DATED: December 20, 2016